

AN ORDINANCE 101310

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.

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WHEREAS, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of 0.2348 acres out of NCB 14164 from "IDZ" (RIO-2) Infill Development Zone River Improvement Overlay District-2 to (HS) "IDZ" (RIO-2) Historic Significant Infill Development Zone River Improvement Overlay District-2.

SECTION 2. A description of the property is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.

SECTION 3. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35 -491.

SECTION 4. The Director of Planning shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 5. This ordinance shall become effective immediately upon passage if passed by eight or more votes otherwise this ordinance shall become effective September 4, 2005.

PASSED AND APPROVED this 25th day of August, 2005.


M A Y O R
PHIL HARDBERGER

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

Agenda Voting Results

Name: Z-7

Date: 08/25/05

Time: 03:38:53 PM

Vote Type: Multiple selection

Description: Z-7. ZONING CASE #Z2005164 (District 1): An Ordinance changing the zoning district boundary on 0.2348 acres out of NCB 14164, to "HS" Historic Significant, 312 Pearl Parkway as requested by City of San Antonio, Historic Preservation Officer, Applicant, for Rio Perla Properties, L.P., Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

FIELD NOTES
FOR

A 0.2348 acre, or 10,226 square feet more or less, tract of land, situated within Lot 1, Block 1, New City Block (N.C.B.) 14164 of the Pearl Brewing Company Property Subdivision recorded in Volume 5870, Pages 115-116 of the Deed and Plat Records of Bexar County, Texas. Said 0.2348 acre tract being more particularly described by metes and bounds as follows, with basis of bearing being from said Pearl Brewing Company Property Subdivision.

COMMENCING: At a found $\frac{1}{2}$ " iron rod with yellow cap marked "Pape-Dawson" at the northeast corner of said Lot 1, Block 1, N.C.B. 14164 of said Pearl Brewing Company Property Subdivision, being at the intersection of the south right-of-way line of East Grayson Street, a 60-foot right-of-way, and the west right-of-way line of Avenue A, a 40-foot right-of-way at this point, per City Engineers Map Number 19;

THENCE: S $12^{\circ}27'35''$ W, departing the south right-of-way line of said East Grayson Street, along and with the west right-of-way line of said Avenue A, the east line of said Lot 1, a distance of 451.44 feet to a point on the west right-of-way line of said Avenue A, the east line of said Lot 1;

THENCE: WEST, departing the west right-of-way line of said Avenue A, the east line of said Lot 1, a distance of 157.86 feet to a point;

THENCE: N $88^{\circ}47'52''$ W, a distance of 139.76 feet to a point of non-tangent curvature and the POINT OF BEGINNING of herein described tract;

THENCE: N $47^{\circ}42'14''$ W, a distance of 81.95 feet to a point;

THENCE: N $42^{\circ}18'03''$ E, a distance of 136.38 feet to a point;

THENCE: S $48^{\circ}52'55''$ E, a distance of 73.72 feet to a point;

THENCE: Southwesterly, with a curve to the right, said curve having a radial bearing of N $48^{\circ}52'55''$ W, a radius of 188.00 feet, a central angle of $1^{\circ}22'42''$, a chord bearing and distance of S $41^{\circ}48'27''$ W, 4.52 feet, for an arc length of 4.52 feet to a point;

THENCE: S $42^{\circ}29'40''$ W, a distance of 84.25 feet to a point of curvature;

THENCE: Southwesterly, with a curve to the left, said curve having a radius of 149.00 feet, a central angle of $19^{\circ}15'33''$, a chord bearing and distance of S $32^{\circ}30'08''$ W, 49.85 feet, for an arc length of 50.08 feet to the POINT OF BEGINNING and containing 0.2348 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey made on the ground and a survey map prepared by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.

JOB NO.: 5576-05

DATE: June 1, 2005

DOC ID: N:\Survey05\CIVIL\5576-05\CULINARY SCHOOL.doc

THIS IS NOT A LEGAL SURVEY.

EXHIBIT A

To Ordinance No. _____
Passed and Approved on
August 25, 2005

CASE NO: Z2005164

Staff and Zoning Commission Recommendation - City Council

Date: August 25, 2005

Zoning Commission Meeting Date: July 19, 2005

Council District: 1

Ferguson Map:

Applicant:

City of San Antonio, Historic
Preservation Officer

Zoning Request:

To designate property "HS" Historic, Significant

0.2348 acres out of NCB 14164

Property Location:

312 Pearl Parkway

Proposal:

To designate property "HS" Historic, Significant

**Neighborhood
Association:**

Tobin Hill Neighborhood Association and The Tobin Hill Residents
Association

Neighborhood Plan:

Tobin Hill Neighborhood Plan

TIA Statement:

A Traffic Impact Analysis is not required

Staff Recommendation:

Consistent. The Tobin Hill Neighborhood Plan shall be used for a guide in decision making and does not require a finding of consistency by the Zoning Commission pursuant to the Unified Development Code. The Historic Preservation Officer has made a finding to the importance of designating this structure worthy of historic zoning protection.

Approval. While the Tobin Hill Neighborhood Plan identifies the site for industrial uses, the Plan does not require a finding of consistency. Conditions in the area have changed since the plan was adopted in 1987 including a major public investment in improving the San Antonio River corridor and the redevelopment of properties along the Broadway Corridor. Page 12 of the Tobin Hill Neighborhood Plan indicates, "Provide for major development activity along the San Antonio River Corridor Linear Park, with respect to river scale and project relationships to the setting." One June 15, 2005 the Historic Design and Review Commission (HDRC) recommended a finding of Historic Significance for this property. The building qualifies as a City of San Antonio landmark based on the following criteria:

1. its value as a visible reminder of cultural heritage of the community (35-607(b)(1)). The Warehouse Building is associated with the Pearl Brewery Site;
2. its historical, architectural or cultural character as a particularly fine or unique example of a utilitarian structure (35-607(b)(6)). The Warehouse Building is an utilitarian structure that was constructed to handle the expanded growth at Pearl Brewery;
3. properties that are part of a cluster which provide a specific representation of an architectural or historic era (35-607(c)(1)(A)). Along with earlier buildings, the Warehouse Building tells the complete story of the history of the Pearl Brewery;
4. buildings that have come to represent a part of San Antonio's cultural heritage for at least twenty-five years (35-607(c)(2)(A)). Completed in 1959, the Warehouse Building is 46 years old in 2005; and
5. commercial structures which are important to the cultural life of San Antonio (35-607(c)(2)(D)).

This application was initiated by the property owner through the City of San Antonio's Historic Preservation Office and is in favor.

Zoning Commission Recommendation:

Approval

CASE MANAGER : Judy Eguez 207-7442

VOTE

FOR	10
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z2005164

ZONING CASE NO. Z2005164 – July 19, 2005

Applicant: City of San Antonio, Historic Preservation Office

Zoning Request: To designate Historic Significance.

Ann McGlone, Historic Preservation Officer, stated this case is a portion of a previous case that was recently designated for historic significance. They have been working with the developer on this project and their intent is to designate the entire property historic significance. She stated at this time they are currently doing one structure at a time as the development progresses. These structures were built between 1949 and 1959.

Daryl Byrd, 5121 Broadway, representing the owner, stated these structures were built around 1949 to 1959. He stated the intent of this particular structure is for a culinary school.

Staff stated there were 20 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor and no response from Tobin Hill Neighborhood Association and Tobin Hill Residents Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Kissling and seconded by Commissioner Avila to recommend approval.

1. Property is located on 0.2348 acres out of NCB 14164 at 312 Pearl Parkway.
2. There were 20 notices mailed, 0 returned in opposition and 3 in favor.
3. Staff recommends approval.

**AYES: Martinez, Robbins, Rodriguez, Kissling, Farias, Dixon, McAden, Avila,
Stribling, Gray**

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.